

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION NO. 1052 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.PARIKH

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

AYUB ABDUL REHMAN HASIYA

v/s.

UNION OF INDIA

Appearance:

Mr.P.R.NANAVATI for Petitioner

Mr.SC PATEL, ADD.STANDING COUNSEL FOR CENTRAL
GOVERNMENT - RESPONDENT NO.1

MR.DN PATEL, A.P.P. for RESPONDENTS NO.2 to 5

CORAM : MR.JUSTICE M.S.PARIKH

DATE OF JUDGMENT : 20/08/97

ORAL JUDGMENT

Rule. Service of Rule waived by Mr.Sunil C.
Patel, learned Additional Standing Counsel for Respondent
No.1 and Mr.D.N.Patel, learned A.P.P. for Respondents
No.2 to 5.

Heard. This matter is taken up for final disposal as the petitioner's Appeal bearing Appeal No. 31 of 1997 is pending before the learned District Judge at Surat and the indulgence of this Court is required only for a temporary period. The petitioner has been facing deportation as per the impugned order at Annexure : A. Reserving liberty to the petitioner to pray for relief/interim relief in respect of this deportation order, in the Appeal proceeding and having heard the learned Advocate for the petitioner, learned Addl. Standing Counsel and the learned A.P.P., following direction is issued :

Further execution and implementation of the order Annexure : A and consequent deportation of the petitioner will remain stayed till upto 29th August 1997. It will be open to the petitioner to move appropriate proceeding in the pending Appeal which will obviously be dealt with in accordance with law without being influenced by this order.

Rule made absolute only in the aforesaid terms.

Direct service as also service by telephonic message or by telex message or by Fax message at the cost of the petitioner is permitted. Communication as prayed for in Prayer : D is also accordingly permitted.

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